A

BILL

[AS AMENDED IN COMMITTEE]

TO

Amend the Law relating to Marriages in Ireland.

WHEREAS an Act was passed in the Seventh and Eighth Years of the Reign of Her present Majesty, Chapter Eighty-one, intituled "An Act for Marriages in Ireland, "and for registering such Marriages;" and it is expedient to alter and amend the Provisions of the said Act, so far as is herein-after provided: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

No Notice of Marriage to be published before Poor Law Guardians. 19 & 20 Vict. c. 119. s. 1.

1. In case of any Party intending Marriage under the Provisions of the said recited Act or of this Act, no Notice of such intended Marriage shall be read or published before the Guardians of any Poor Law Union in Ireland, or be transmitted by any Registrar to the Clerk of any such Guardians.

Form of Notice of Marriage to Registrar. 7 & 8 Vict. c. 81. s. 13.

2. Every Notice of an intended Marriage given to the Registrar under the Provisions of the said recited Act or of this Act shall be in the Form set forth in the Schedule to this Act annexed, and shall state,—

(1.) The true Name, Surname, Profession, or Condition of each of the Persons intending Marriage:

(2.) The

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(2.) The Church, Chapel, or registered Place of Public Worship which the Persons intending Marriage, or either of them, usually attend:

(3.) The usual Dwelling Place of each of them:

(4.) The Time, not being less than Seven Days, during which each has dwelt therein (unless such Time is more than One Month, in which Case it may be so stated): 5

(5.) The Church, Chapel, or registered Place of Public Worship, or other Place in which the Marriage is intended to be celebrated (which must be a Place within the District of the Registrar to whom the Notice is given): 10

(6.) Whether the Marriage is intended to be celebrated by virtue of the Registrar's Certificate, or by virtue of his Licence.

Proceedings of Registrar.

3. The Registrar shall then proceed as follows:

(1.) He shall file the Notice so given to him, and keep the same with the Records of his Office; 15

(2.) He shall forthwith enter a true Copy of the Notice in his Marriage Notice Book (supplied to him by the Registrar General);

(3.) He shall keep this Book open for the Inspection of all Persons at all reasonable Times, without Fee; 20

(4.) He shall, on the Day on which he shall have received such Notice, or on the following Day at the latest, send by Post, in a registered Letter, a Copy of the Notice, under his Hand,—

To the Minister of the Church, Chapel, or registered Place of Public Worship stated in the Notice as that in which the Marriage is intended to be solemnized; and 25

To the Minister of the Church, Chapel, or registered Place of Public Worship which the Parties to the Marriage, or either of them, usually attend;

Or the Registering Officer of the Society of Friends, or Secretary of a Synagogue, by whom respectively the Marriage is to be registered, as the Case may require: 30

(5.) When the Marriage is intended to be contracted in the Office of the Registrar, he shall, in addition to sending a Copy of the Notice to the Minister of the Church, Chapel, or registered Place of Public Worship as aforesaid, forthwith suspend a Copy of the Notice, on a printed Form properly and legibly filled up, in some conspicuous Place in his Office, and keep the same so suspended,—in the Case of a Marriage intended to be celebrated by virtue of a Certificate, for Twenty-one Days,—and in the Case of a Marriage intended to be celebrated by virtue of a Licence, during Seven Days, next after the Day of Entry of the Notice; 35 40

And the Registrar shall be entitled to a Fee of One Shilling for each registered Letter sent by him. 45

4. The

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4. The Registrar shall not in any Case issue a Certificate until after the Expiration of Twenty-one Days, or grant a Licence until after the Expiration of Seven Days, from the Day of Entry of the Notice by him.

Certificate or Licence not to issue until after 21 Days or 7 Days.

5 5. The Registrar General shall, on being thereunto required, furnish to the Minister of every registered Place of Public Worship in which Marriages may be solemnized, Marriage Register Books in Duplicate, and Forms for certified Copies thereof, as provided under the said recited Act.

Registrar General to furnish Registry Books.

10 6. Every Marriage solemnized by virtue of a Registrar's Certificate of Publication of Notice, or of a Registrar's Licence, according to the Usages of any Church, Denomination, or Body of Protestant Christians, shall be solemnized,

Place, Time, &c. of Marriage.

(1.) By a Minister of the Church, Denomination, or Body to
15 which the Parties to the Marriage, or either of them, shall belong;

(2.) In the registered Place of Public Worship named in the Notice;

(3.) Between the Hours of Eight in the Morning and Twelve of
20 Noon;

(4.) With open Doors;

(5.) In the Presence of Two or more credible Witnesses besides the officiating Minister or Person solemnizing the Marriage;

And not elsewhere or otherwise If any Person wilfully solemnize
25 a Marriage, or pretended Marriage, contrary to the present Provision he shall be guilty of Felony.

7. The Presence of the Registrar shall not be necessary at any Marriage celebrated under the Provisions of this Act, in any House of Worship registered or certified under the said recited Act: and
30 every such Marriage shall be good and cognizable in like Manner as any Marriage solemnized under the Provisions of the said recited Act: nor shall the Minister who shall solemnize any such Marriage without the Presence of the Registrar be guilty of Felony.

Marriages under this Act good and cognizable.

8. Every Minister, immediately after the Solemnization of any
35 Marriage by him, shall enter in both the Duplicate Marriage Register Books of the Place of Worship in which the Marriage is solemnized, the requisite Particulars respecting such Marriage: and every such Entry shall be signed by such Minister, and by the Persons married, and by Two Witnesses at the least; and such Minister shall, in April,
40 July, October, and January, every Year, send to the Registrar General, on a printed Form (supplied to him by the Registrar General,)

Entry of Marriage by Minister in Registry Books.

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neral,) a Copy, certified by him under his Hand, of all Entries in the Duplicate Marriage Register Books in his keeping made in the Quarter of a Year then last past, or certify under his Hand that no such Entry has been made in such Quarter, if the case so be.

Penalty for not registering Marriage.

9. If any Minister neglect or refuse to register as aforesaid any Marriage which under this Act it is his Duty to register, he shall for such Offence be liable to a Penalty of Forty Pounds, recoverable in any of Her Majesty's Superior Courts of Law in Dublin, with full Costs of Suit, by any Person who shall sue for the same. 5

Consent of Minister, &c. necessary.

10. No such Marriage as aforesaid shall be solemnized in any such Place of Public Worship without the Consent of the Minister, or of One of the Trustees or Owners, Deacons or Managers, thereof. 10

Omission to send Notice of Marriage Penalty, 40*l.*

11. If any Registrar shall neglect or refuse to send a Copy of the Notice given to him by either of the Parties intending Marriage, to the Minister of the Church, Chapel, or registered Place of Public Worship where the Marriage is to be solemnized; and to the Minister of the Church, Chapel, or registered Pace of Public Worship where the Parties to the Marriage, or either of them, usually attend; he shall be liable to a Penalty of Forty Pounds, recoverable in any of Her Majesty's Superior Courts of Law in Dublin, with full Costs of Suit, by any Person who shall sue for the same. 15 20

Penalty on making false Declaration, or giving false Notice. 19 & 20 Vict. c. 119 s. 18.

12. Any Person who shall knowingly, or wilfully, make any false Declaration, or sign any false Notice, required by the said recited Act or by this Act, for the Purpose of procuring any Marriage, shall suffer the Penalties of Perjury. 25

Not to alter Provisions of existing Act, except where at variance with this Act.

13. Except where the Provisions of the said recited Act are expressly altered by or are at variance with the Provisions of this Act, nothing herein contained shall alter, repeal, or affect, or be construed so as in any Manner to alter, repeal, or affect, any of the Provisions or Clauses contained in the said Act, but, except as aforesaid, the same Provisions and Clauses respectively shall be and remain in full Force and Effect as if this Act had not been passed; and this Act shall, except as aforesaid, be considered as incorporated with the same Provisions and Clauses, and be construed in connexion therewith. 30 35

Commencement of Act.

14. This Act shall come into operation on the First Day of August Eighteen hundred and sixty-three, and none of the Provisions thereof shall take effect previous to that Day.

Limitation of Act.

15. This Act shall not apply to England or Scotland. 40

NOTICE

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Notice of Marriage.

To *A.B.*, Registrar [*or* Deputy Registrar] of the District of in the County of .

I the undersigned *James Smith* hereby give you Notice, that a Marriage is intended to be had, without [*or* by, *as the Case may be*] Licence, within Three Calendar Months from the Date hereof, between me and the other Party named and described; (that is to say,)

Name and Surname	Condition	Rank or Profession	Age	Dwelling Place	Length of Residence	Church, Chapel, or Place of Worship which the Parties usually attend respectively.	Church, Chapel, Place of Public Worship, or Building in which the Marriage is to be solemnized	District and County in which the Parties respectively dwell
James Smith -	*Widower* -	*Ironmonger* -	*Twenty-five Years.*	*23, Trinity Street, Parish of St Andrew's, City of Dublin.*	*Seven Days* [or *Fifteen Days*, as the Case may be]	*Primitive Wesleyan Methodist Chapel, Great George Street*	*Sion Chapel, Maryborough.*	*District of ——— County of Dublin.*
Martha Green -	*Spinster* -	- - -	*Nineteen Years*	*Grove Farm, Townland of Grove, Parish of Maryborough*	*More than One Month.*	*Sion Chapel, Maryborough*		*District of Maryborough, County of Queen's County.*

Witness my Hand this [ ] day of [ ] One thousand eight hundred and [*sixty-three.*]

(Signed) *James Smith.*

(The Particulars in this Schedule to be entered according to the Fact.)

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Marriages, &c. (Ireland).

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BILL

[AS AMENDED IN COMMITTEE]

To amend the Law relating to Marriages in Ireland.

(Prepared and brought in by Sir Edward Grogan, Mr. Vance, and Mr. Longfield.)

Ordered, by The House of Commons, *to be Printed,* 22 *April* 1863.

[Bill 88.]

Under 1 *oz.*

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